UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA *ex rel* TRAVIS THAMS, RELATOR, and on behalf of the STATES of CALIFORNIA, COLORADO, CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, HAWAII, ILLINOIS, INDIANA, LOUISIANA, MASSACHUSETTS, MICHIGAN, MINNESOTA, MONTANA, NEVADA, NEW HAMPSHIRE, NEW JERSEY, NEW MEXICO, NEW YORK, NORTH CAROLINA, OKLAHOMA, RHODE ISLAND, TENNESSEE, TEXAS, VIRGINIA, WISCONSIN and the DISTRICT OF COLUMBIA,	
Plaintiffs,	Civil Action No. 3:13-cv-404
vs.	
CARDIOVASCULAR SYSTEMS, INC.,	
Defendant.	

JOINT NOTICE OF DISMISSAL

Pursuant to FED. R. CIV. P. 41(a)(1), plaintiffs United States of America and relator

Travis Thams ("Relator") (hereinafter collectively the "Parties") voluntarily dismiss this

civil action against defendant Cardiovascular Systems, Inc. (hereinafter, "CSI") subject to

the following terms and conditions:

1.   The Parties have executed a written settlement agreement ("Agreement")

resolving United States' and Relator's claims against CSI for the "Covered Conduct" as

defined in the Agreement. A copy of the Agreement is attached hereto as **Exhibit A**. This Joint Notice of Dismissal is consistent with the terms of the Agreement.

2.   The Parties voluntarily dismiss, with prejudice, the claims asserted by Relator in this action on behalf of the United States and against CSI premised on the Covered Conduct described in the Agreement. Relator voluntarily dismisses with prejudice the claims asserted by Relator on behalf of the Plaintiff States and without prejudice as to the Plaintiff States.

3.   Except for Relator's claims for statutory attorneys' fees and costs under 31 U.S.C. § 3730(d), Relator voluntarily dismisses, with prejudice to Relator and without prejudice to the United States, all other claims against CSI asserted in this action. Pursuant to 31 U.S.C. § 3730(b)(1), the United States hereby consents to Relator's voluntary dismissal of that portion of the action, provided such dismissal is without prejudice to the United States.

4.   No parties have filed an answer or responsive pleading to the Relator's Complaint.

5.   The Court will retain jurisdiction over the Parties and CSI to the extent necessary to enforce the terms and conditions of the Agreement between the Parties and CSI, and to adjudicate Relator's outstanding claims for statutory attorneys' fees and costs pursuant to 31 U.S.C. § 3730(d).

6.   A proposed Order accompanies this Joint Notice of Dismissal.

Respectfully submitted this 1st day of July, 2016.

JILL WESTMORELAND ROSE
UNITED STATES ATTORNEY

s// Jonathan H. Ferry
JONATHAN H. FERRY
ASSISTANT UNITED STATES ATTORNEY
NC Bar No. 39117
Suite 1650, Carillon Building
227 West Trade Street
Charlotte, NC 28202
Tel: (704) 344-6222
Fax: (704) 227-0248
Email: Jonathan.Ferry@usdoj.gov

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COUNSEL FOR RELATORS

s// Clark C. Walton
CLARK WALTON
ALEXANDER RICKS, PLLC
4601 Park Road, Suite 580
Charlotte, NC 28209
Tel: 704-365-3656
Fax: 704-365-3676
Email: clark@alexanderricks.com

s// John Radice
JOHN RADICE
RADICE LAW FIRM
34 Sunset Blvd.
Long Beach, NJ 08008
Tel: (646) 245-8502
Fax: (609) 385-0745
Email: jradice@radicelawfirm.com

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CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of July, 2016, the foregoing Joint Notice of Dismissal was served upon the parties below via the Court's Electronic Filing System notification.

Steven K. McCallister
Assistant Attorney General
Medicaid Investigations Division
Attorney General's Office
North Carolina Department of Justice
5505 Creedmoor Rd., Ste. 300
Raleigh, NC 27612
SMcCallister@ncdoj.gov
For all Plaintiff States
(*served via U.S. Mail*)

Joseph T. Carruthers
Wall Babcock LLP
1076 W. Fourth Street
Winston-Salem, NC 27101
jcarruthers@wallbabcock.com
For Defendant

David M. Glaser
Lousene Mary Hoppe
Kevin Charles Riach
Fredrikson & Byron, P.A.
200 South Sixth Street, Suite 400
Minneapolis, MN 55402
dglaser@fredlaw.com
lhoppe@fredlaw.com
kriach@fredlaw.com
For Defendant

<u>**s// Jonathan H. Ferry**</u>
JONATHAN H. FERRY
ASSISTANT UNITED STATES ATTORNEY

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